

**FILED**

**NOV 18 2013**

CLERK, U.S. DISTRICT COURT  
DISTRICT OF NEVADA

BY \_\_\_\_\_ DEPUTY

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERICA BOWDEN-PAYNE,

Defendant.

2:12-CR-132-JAD-(CWH)

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on November 13, 2013, defendant ERICA BOWDEN-PAYNE pled guilty to Count One a One-Count Criminal Indictment charging her in Count One with Conspiracy to Interfere with Commerce by Robbery in violation of Title 18, United States Code, Section 1951. Criminal Indictment, ECF No. 1; Change of Plea Minutes, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

This Court finds defendant ERICA BOWDEN-PAYNE agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 1; Change of Plea Minutes, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant ERICA BOWDEN-PAYNE pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 1           1. a black Springfield, model XD9, 9mm handgun, bearing serial number XD228554;
- 2           and
- 3           2. any and all ammunition involved in the above robberies ("property").

4           This Court finds the United States of America is now entitled to, and should, reduce the  
5   aforementioned property to the possession of the United States of America.

6           NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
7   United States of America should seize the aforementioned property.

8           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
9   ERICA BOWDEN-PAYNE in the aforementioned property is forfeited and is vested in the United  
10   States of America and shall be safely held by the United States of America until further order of the  
11   Court.

12          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
13   shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
14   website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state the  
15   time under the applicable statute when a petition contesting the forfeiture must be filed, and state the  
16   name and contact information for the government attorney to be served with the petition, pursuant to  
17   Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

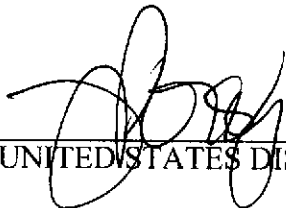
18          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
19   with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

20          IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
21   shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
22   following address at the time of filing:

23               MICHAEL A. HUMPHREYS  
24               Assistant United States Attorney  
25               Lloyd D. George United States Courthouse  
26               333 Las Vegas Boulevard South, Suite 5000  
                 Las Vegas, Nevada 89101.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
3 following publication of notice of seizure and intent to administratively forfeit the above-described  
4 property.

5 DATED this 15<sup>th</sup> day of November 2013.

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9 UNITED STATES DISTRICT JUDGE  
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